

**House Foreign Affairs Committee
Tom Lantos Human Rights Commission
Briefing
on
Enforced Disappearances in Bangladesh
August 31, 2021 - 10:00 a.m.
Virtual Event**

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Mr. Vaughn (Moderator), Honorable Representatives McGovern and Smith:

I also want to thank you and the Tom Lantos Human Rights Commission for this timely and necessary briefing.

You have all heard the interventions of my co-panelists, direct testimonies of some of the horrible abuses that people in Bangladesh - particularly those that do not agree with the ruling power- are suffering. And the accounts you have heard about today are only a small fraction of what is happening on the ground.

The Government of Bangladesh has been warned, time and time again, about the excesses of its security forces, about the scale and even systematic nature of the human rights abuses, the scale and clear intentionality of the repression, as well as the near absolute impunity in which such abuses remain. In fact, the lack of independent and transparent investigations and effective prosecutions through the judicial system demonstrates that the Government of Bangladesh is unwilling to hold perpetrators accountable. The Government of Bangladesh has heard from local civil society organizations and instead of listening, it has sought to silence them using every tool at its disposal to do so, including the application of the draconian 2018 Digital Security Act

International civil society organizations have also documented and denounced for years the seriousness of the human rights situation and some of them, like Robert F. Kennedy Human Rights, where I work, have even tried to engage the Bangladeshi authorities only to find a categorical denial of such a serious state of affairs in the country.

But it is not only civil society speaking out and raising the alarm. United Nations experts, including the working group on enforced and involuntary disappearance, and the Special Rapporteur on extrajudicial, summary or arbitrary executions, among others, have publicly expressed their concern about serious human rights abuses in Bangladesh, and the Committee Against Torture even called for an independent

inquiry into allegations of grave abuses by the Rapid Action Battalion. The U.S. State Department has also reflected many of these concerns in its annual report on human rights.

And yet there is no improvement. On the contrary, the crackdown on dissent, and the number of documented cases of enforced disappearances, extrajudicial killings, and instances of torture, among other serious human rights abuses, is on the rise with less and less space for civil society to operate, for journalists to freely report and for Bangladeshis more generally to be critical.

So the question then is what can the international community do? What can the United States do?

As the recently published Human Rights Watch report on enforced disappearances in Bangladesh recommends, and given the limited accountability tools there are vis-a-vis Bangladesh, there are a series of measures that should be considered by the U.S. Government, including:

- A review of its relationship with Bangladeshi security forces.
- A strong call for particularly problematic forces and units, such as the Rapid Action Battalion, to be dismantled and at minimum, to be barred from participating in international peacekeeping missions;
- And very importantly, the U.S. Government should use targeted sanctions on high-ranking officials with command responsibility for enforced disappearances and other serious abuses, such as extrajudicial killings and torture.

We believe that in the absence of other effective accountability mechanisms, the adoption of targeted sanctions under the Global Magnitsky Human Rights Accountability Act and other targeted sanctions regulations could positively influence the behavior of state authorities in Bangladesh.

Sanctions are a critical and powerful tool to spur much-needed reform and stop these abuses by naming and shaming perpetrators, restricting their U.S. visas, and freezing their assets in the U.S.

Individual targeted sanctions will advance accountability for serious human rights abuses.

Sanctions will advance U.S. interests in the context of the U.S.-Bangladesh relationship. Especially considering that the United States has and continues to invest heavily in Bangladesh as a regional ally, particularly since 2016 in the fight against extremism. The U.S. provides Bangladesh with generous foreign assistance totaling more than \$200 million dollars annually, which includes funding for international security assistance, and Bangladesh also receives support from the Department of State's Antiterrorism Assistance Program. It is, therefore, possible and indeed likely that these funding sources are being used to provide support or training to forces such as the Rapid Action Battalion, which, as exposed today, are implicated in serious and numerous human rights abuses.

Targeted sanctions are an important tool to spur behavior change from the inside, given the importance of Bangladesh as a regional partner and the contradictions between the actions of certain actors within its Government and the values which the U.S. hopes to further through cooperation with Bangladesh.

Designating specific individuals with high-ranking positions and command responsibility for sanctions would send a clear, direct message to the Government of Bangladesh that the United States does not and will not tolerate egregious human rights abuses from its allies and regional security partners. It also signals clear behavior modifications that must be made by actors within Bangladesh to come into alignment with international norms and American legal standards regarding human rights or risk damaging its strategic partnership with the United States. Moreover, it will send a message to other U.S. allies perpetrating similar patterns of abuse that they cannot buy silence on their human rights track record and American financial assistance by cooperating with the U.S. on counterterrorism efforts.

This is the time to pass targeted sanctions to push for serious reform and deter further deterioration of the human rights situation in Bangladesh as the country prepares for elections in 2023, setting the tone of U.S. expectations of its ally going forward.

Many thanks and I am at your disposal for any further questions.